Table of Contents

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

OFFICE CORRESPONDENCE

Date: November 9, 1994

FROM: GERALD W. MINNIS, COMMANDER PROFESSIONAL STANDARDS AND TRAINING DIVISION

TO: ARTHUR E. HERRERA, CAPTAIN CENTURY STATION

SUBJECT: **FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS -- HIT SHOOTING, FEBRUARY 27, 1994, PSTD # 007033**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the hit shooting incident which occurred on February 27, 1994.

The committee met on November 2, 1994, and consisted of myself and Commanders Bayless (Custody) and Painter (FOR I). We determined that the use of deadly force by Deputies [redacted] #[redacted], and Shawn Jones, #[redacted], was within policy.

The committee recommends that you hold a training discussion with Deputy [redacted] and Deputy Jones concerning the importance of waiting for back-up and the risks of pursuing an armed suspect into a residence.

Accompanying this memo is the original PSTD Response Team package which contains the IAB and Training Bureau reports. Please evaluate the included material and complete and sign the enclosed form documenting your recommendations and actions. The package should be forwarded to your division chief within 30 days.

GWM:jph

COUNTY (LOS ANGELES - SHERIFF'S DE RTMENT
INCIDENT DATA

WHAT INITIATED INCIDENT	Call [X] Observation [ ] Search Warrant [ ] Arrest Warrant [ ]
LOCATION OF OCCURRENCE	[redacted] East 61st Street, Los Angeles
TYPE OF LOCATION	Residence [X] Business [ ] Industrial [ ] Parking Lot [ ] Street [ ] Backyard [ ] Freeway [ ] Rural [ ] Other [ ]

SHOOTING CONDITIONS

DATE	TIME	DAY
2-27-94	1940 hours	Sunday

LIGHTING	WEATHER
Moderate, indoor	Clear and Dry

DISTANCE

6 inches

CONTRIBUTING FACTORS

None

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

CLASSIFICATION

ACCIDENTAL:	No
GUN TAKE-AWAY:	No
PERSON(S) ARMED:	Yes
PERSON(S) UNARMED:	No
STARTLE:	No
UNINTENTIONAL:	No
DEPUTY IN UNIFORM:	[X] RAID JACKET: [ ] PLAIN CLOTHES: [ ]
VEST WORN:	Yes
FOOT PURSUIT:	Yes
VEHICLE PURSUIT:	No
MOVING VEHICLE:	No
VEHICLE STOP:	No
TYPE OF HOLSTER:	Department Issued
GUN IN HOLSTER:	No
STRUGGLE INVOLVED:	Yes

ADDITIONAL FACTS AND INFORMATION:

See Investigative Summary

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME		
[redacted]		

RANK	EMPLOYEE NO.	UNIT AND DIVISION / REGION OF ASSIGNMENT
Deputy	[redacted]	[redacted]

SEX	RACE	HEIGHT	WEIGHT	DATE OF BIRTH	AGE
Male	Hispanic	[redacted]	[redacted]	[redacted]	[redacted]

DUTY STATUS	HIRE DATE
Continuing on duty	[redacted]

UNIFORM	RAID JACKET	PLAIN CLOTHES	VEST
Yes			Yes

INJURED	DECEASED	CORONER'S CASE NO.
No		

DESCRIPTION OF INJURIES

WAS THE DEPUTY IMMEDIATELY REMOVED FROM THE SCENE? YES [x] NO [ ]

WAS THE DEPUTY SEQUESTERED PRIOR TO THE INTERVIEW? YES [x] NO [ ]

WHERE? Century Station-Firestone Facility

SUPERVISED BY: Lieutenant Dennis Wilson

WEAPON USED

TYPE	AUTHORIZED
Beretta 92F	Yes

AMMUNITION TYPE	AUTHORIZED
9mm Winchester	Yes

RANGE QUALIFICATION (LAST DATE)	NO. OF ROUNDS FIRED BY DEPUTY	NO. OF HITS
[redacted]	2	2

DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE	TEST FOR CAUSE ORDERED	ORDERED BY
N/A		

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE)	PRACTICAL POLICE COURSE (LAST DATE)
[redacted]	[redacted]

DEPUTY INVOLVED
Continued

ASSIGNMENT HISTORY		
DATE	**UNIT OF ASSIGNMENT**	**RANK**
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)		
FILE	**DATE**	**TYPE**
None		

LOS ANGE[illegible]S COUNTY - SHERIFF'S DE[illegible]RTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME					
JONES, Shawn E.					

RANK	EMPLOYEE NO.	UNIT AND DIVISION / REGION OF ASSIGNMENT
Deputy	[redacted]	Century Station-Firestone Facility

SEX	RACE	HEIGHT	WEIGHT	DATE OF BIRTH	AGE
Male	White	5-07	155	[redacted]	[redacted]

DUTY STATUS	HIRE DATE
Continuing on duty	3-23-90

UNIFORM	RAID JACKET	PLAIN CLOTHES	VEST
Yes	No	No	Yes

INJURED	DECEASED	CORONER'S CASE NO.
No	No	N/A

DESCRIPTION OF INJURIES
N/A

WAS THE DEPUTY IMMEDIATELY REMOVED FROM THE SCENE? YES [X] NO [ ]

WAS THE DEPUTY SEQUESTERED PRIOR TO THE INTERVIEW? YES [X] NO [ ]

WHERE? Firestone Facility

SUPERVISED BY: Lieutenant Dennis Wilson

WEAPON USED

TYPE	AUTHORIZED
Beretta 92F	Yes

AMMUNITION TYPE	AUTHORIZED
Winchester 9mm	Yes

RANGE QUALIFICATION (LAST DATE)	NO. OF ROUNDS FIRED BY DEPUTY	NO. OF HITS
[redacted]	2	2

DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE	TEST FOR CAUSE ORDERED	ORDERED BY
N/A		

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE)	PRACTICAL POLICE COURSE (LAST DATE)
[redacted]	[redacted]

ASSIGNMENT HISTORY

DATE	UNIT OF ASSIGNMENT	RANK
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	Deputy Generalist
[redacted]	[redacted]	Deputy Generalist
[redacted]	[redacted]	Deputy Generalist
10-7-93 to present	Century Station/Field Operations Region II	Deputy Generalist

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)

FILE	DATE	TYPE
None		

LOS ANGE ES COUNTY - SHERIFF'S D ARTMENT

SUSPECT/SUBJECT

LAST NAME	FIRST NAME	M/I
RUIZ	Miguel	G.

ADDRESS
[redacted]

SEX:	RACE	HEIGHT	WEIGHT	D.O.B.	AGE	DECEASED
Male	Hispanic	5-5	178	8-12-39	54	Yes

INJURED	DESCRIPTION OF INJURIES
N/A	Gunshot wounds to chest and upper torso

SUSPECT'S TOXICOLOGY

UNDER THE INFLUENCE
Unknown

TYPE OF SUBSTANCE	LAB TEST CONDUCTED

ARMED	TYPE OF WEAPON
Yes	10 mm, automatic pistol

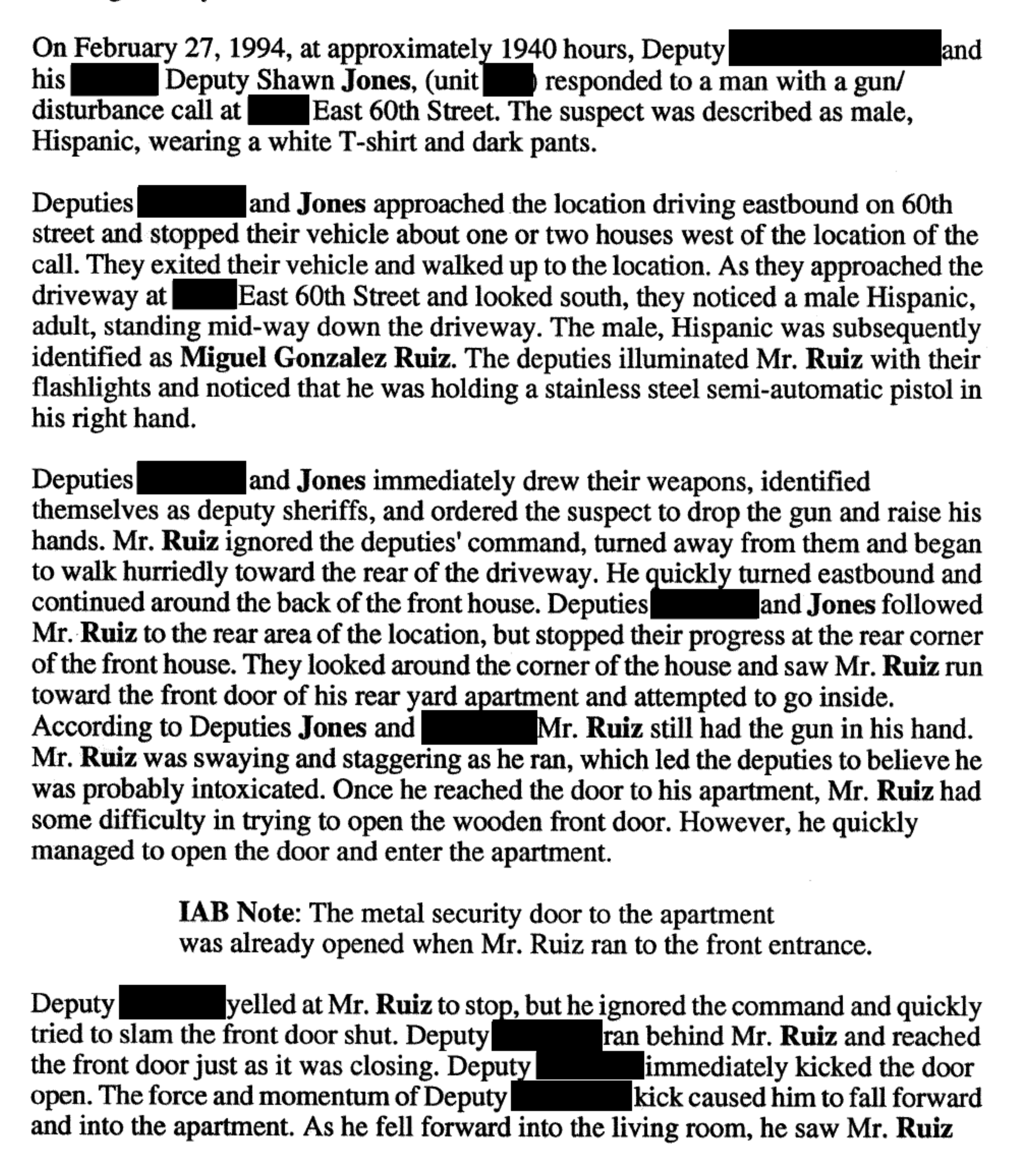
NUMBER OF SHOTS FIRED BY SUSPECT	NUMBER OF HITS
0	None

SUSPECT VEHICLE
None

CRIMINAL HISTORY (ATTACH COPY OF RAPS)
Exhibit G

SUMMARY OF INCIDENT
See Investigative Summary

INVESTIGATIVE SUMMARY



The information contained in this summary is based upon the reports, memos, teletypes, and photographs of physical evidence taken from the scene of this incident. It also contains information verbally relayed to Internal Affairs investigators by witnesses.

On February 27, 1994, at approximately 1940 hours, Deputy [redacted] and his [redacted] Deputy Shawn **Jones**, (unit [redacted]) responded to a man with a gun/ disturbance call at [redacted] East 60th Street. The suspect was described as male, Hispanic, wearing a white T-shirt and dark pants.

Deputies [redacted] and **Jones** approached the location driving eastbound on 60th street and stopped their vehicle about one or two houses west of the location of the call. They exited their vehicle and walked up to the location. As they approached the driveway at [redacted] East 60th Street and looked south, they noticed a male Hispanic, adult, standing mid-way down the driveway. The male, Hispanic was subsequently identified as **Miguel Gonzalez Ruiz**. The deputies illuminated Mr. **Ruiz** with their flashlights and noticed that he was holding a stainless steel semi-automatic pistol in his right hand.

Deputies [redacted] and **Jones** immediately drew their weapons, identified themselves as deputy sheriffs, and ordered the suspect to drop the gun and raise his hands. Mr. **Ruiz** ignored the deputies' command, turned away from them and began to walk hurriedly toward the rear of the driveway. He quickly turned eastbound and continued around the back of the front house. Deputies [redacted] and **Jones** followed Mr. **Ruiz** to the rear area of the location, but stopped their progress at the rear corner of the front house. They looked around the corner of the house and saw Mr. **Ruiz** run toward the front door of his rear yard apartment and attempted to go inside. According to Deputies **Jones** and [redacted] Mr. **Ruiz** still had the gun in his hand. Mr. **Ruiz** was swaying and staggering as he ran, which led the deputies to believe he was probably intoxicated. Once he reached the door to his apartment, Mr. **Ruiz** had some difficulty in trying to open the wooden front door. However, he quickly managed to open the door and enter the apartment.

> **IAB Note**: The metal security door to the apartment was already opened when Mr. Ruiz ran to the front entrance.

Deputy [redacted] yelled at Mr. **Ruiz** to stop, but he ignored the command and quickly tried to slam the front door shut. Deputy [redacted] ran behind Mr. **Ruiz** and reached the front door just as it was closing. Deputy [redacted] immediately kicked the door open. The force and momentum of Deputy [redacted] kick caused him to fall forward and into the apartment. As he fell forward into the living room, he saw Mr. **Ruiz**

stumbling back away from the door. Mr. **Ruiz** was holding the gun in his right hand and at waist level. The gun was pointed directly at Deputy [redacted] and less than 12 inches away from him. Believing he was about to be shot, Deputy [redacted] raised his Beretta pistol and fired two quick shots at Mr. **Ruiz** as he ([redacted]) was falling forward. The gunshots apparently struck **Ruiz** in the chest area. After firing the shots, Deputy [redacted] was immediately able to re-gain his balance and avoided falling to the floor.

Deputy **Jones**, who by now was standing inside the doorway, also feared that Deputy [redacted] was about to be shot by Mr. **Ruiz.** He immediately fired two shots from his Beretta pistol, which apparently struck Mr. **Ruiz** in the upper torso. Within seconds of being shot, Mr. **Ruiz** fell onto a nearby couch and then to the floor. He was bleeding profusely and still holding the pistol in his hand, but loosening his grip. Mr. **Ruiz** suddenly lowered his hand and dropped the pistol to the floor. Deputy [redacted] immediately picked up the pistol and backed out of the front door to seek cover. He later cleared the pistol and noted it contained one live round in the chamber and two live rounds in a magazine that was attached to the pistol.

> **IAB Note**: Homicide investigators, Sergeant Doral **Riggs** and John **Laurie** interviewed Mr. [redacted] MH/35, who lives at an unknown address on [redacted] in the [redacted] and Mr. [redacted] MH/26, who resides at [redacted] Mr. [redacted] and Mr. [redacted] were standing in the rear of the driveway when Deputies [redacted] and **Jones** followed Mr. **Ruiz** into his apartment. In separate and individual interviews, Mr. [redacted] and Mr. [redacted] told the Homicide investigators that when Mr. **Ruiz** entered his apartment ahead of the deputies, he was not holding his stainless steel semi-automatic pistol in his right hand, but instead, the pistol was inside his (**Ruiz**') waistband in the center of his back.

Deputies [redacted] and **Jones** then focused their attention to the presence of two female adults and a male adult, who were inside the apartment at the time of the shooting. They were later identified as Mr. **Ruiz**' [redacted], [redacted] FH/41, his [redacted], [redacted] FH/19, and her [redacted], [redacted] MH/18.

> **IAB Note:** When Mr. **Ruiz** initially attempted to flee from them, Deputy [redacted] and **Jones** did not know if **Ruiz** was running into an occupied or unoccupied residence or if, in fact, he lived at the location. After the apartment was checked and cleared for additional suspects or witnesses, Deputies [redacted] and **Jones** eventually realized that Mr. **Ruiz** resided at the location.

Mr. **Ruiz** was administered first aid by paramedics from Engine Company 9 and transported to Martin Luther King Jr.-Drew Medical Center where he was subsequently pronounced dead at 2046 hours as a result of his gunshot wounds.

Internal Affairs investigators conducted separate interviews with Mr. **Ruiz**' [redacted], his [redacted], [redacted] and Mr. [redacted]. The following statements are excerpts of their respective interviews:

> [redacted] said that she was sitting on the couch closest to the door watching television when her [redacted] entered the house. She said he didn't say anything and sat down on the love seat next to the door. She said the deputies followed her [redacted] inside, about one to two minutes after he was seated. She said the deputies hit the door very hard and it opened quickly. She turned toward the loud noise of the door opening and suddenly saw a deputy shooting at her [redacted] She said she did not notice where her [redacted], [redacted] was at this time.
>
> Mrs. [redacted] said she was very frightened and surprised when the deputies hit the door very hard and entered the house. She said her [redacted] also looked surprised, but he remained seated.
>
> Mrs. [redacted] said she knew that her [redacted] had purchased a gun about two weeks prior to this incident, but she did not see him with the gun when he came inside the house or at anytime during this entire incident.
>
> Mrs. [redacted] said the deputies shot her [redacted] either two or three times. She said the deputies kicked the door, entered the house, and immediately shot him. She said her [redacted] hands were raised at the time he was shot. She didn't know if he was surprised by the deputies' presence or because the deputies told him to raise his hand. However, she did not specifically recall if the deputies told her [redacted] to raise his hands.
>
> Mrs. [redacted] said after her [redacted] was shot he slid off the sofa with one hand raised and the other was on his chest. She said without provocation, the deputies shot him again. She said [redacted] ran to her [redacted] and pleaded with the deputies not to shoot him anymore and the deputies fired again. She said the deputies fired one shot and then a half a minute to a minute later they fired a second shot.

[redacted] said she was sitting in her living room and ran to the kitchen when she heard the sound of her [redacted] trying to get into the house. When she reached the kitchen, she heard the front door slam open. She said when her [redacted] ran into the house, the two deputies entered directly behind him and pushed him into the living room wall mirror, near the love seat. She said suddenly and without provocation, a deputy shot her [redacted] twice in the chest. He fell to his side onto the sofa. She said she ran into the living room screaming and pleading with the deputies not to shoot her [redacted] anymore. She said the other deputy (**Jones**), ignored her pleas and fired two more shots at her [redacted] as he lay wounded on the sofa. She said her [redacted] fell to the floor as her [redacted], who was sitting on the sofa, ran to his side and began crying and asking him if he was okay.

[redacted] said her [redacted] did not have his pistol in his right hand when the deputies shot him. She said the gun was inside his belt in the center of his back.

[redacted] said her [redacted] had the pistol in his possession because prior to the shooting incident with the deputies, he was involved in an argument with two Hispanic males, who had parked their vehicle blocking the driveway to their house. She said he took the gun outside when he went to confront the two males.

[redacted] reiterated that when the deputies shot her [redacted] he was not holding the gun because it was always inside his back waistband. She stated that the deputies began shooting at her [redacted] as soon as they entered the house.

[redacted] said that earlier in the evening he and [redacted] had returned home after running an errand for Mrs. [redacted] When they returned to the house, Mr. **Ruiz** witnessed a confrontation he had in front of their house with a person identified as [redacted] whose vehicle was parked blocking their driveway. Mr. [redacted] said that Mr. **Ruiz** walked over and intervened in the argument. He said Mr. **Ruiz** told him and [redacted] to go inside the house. He said Mr. **Ruiz** then began to argue with [redacted] and another unidentified individual.

Mr. [redacted] said that he and [redacted] went inside the house and sat in the kitchen. Several minutes later, Mr. **Ruiz** came into the house and went to the bedroom to get his pistol, but saw that it

was unloaded. He went to the kitchen with the pistol in his hand and took a box out of the refrigerator and began loading the magazines. [redacted] was in the living room watching television and they told Mr. **Ruiz** not to go outside with the gun. However, Mr. **Ruiz** ignored them and walked outside with the gun.

Mr. [redacted] said about three or four minutes later, he was in the kitchen with [redacted] and they heard the sound of someone running and the loud noise of the door slamming open. He said that within seconds, he heard two gunshots and saw [redacted] run over to her [redacted] yelling and screaming. He immediately ran after her and then he heard a third gunshot just before he grabbed [redacted] He said [redacted] was screaming and pleading with the deputies not to shoot her [redacted] anymore. He said the deputies did not shoot him again after she pleaded with them.

Mr. [redacted] indicated that when Mr. **Ruiz** went outside with the pistol, it was not loaded because he had taken the magazines and hid them in the bedroom when Mr. **Ruiz** was not looking. He speculated that the deputies later found another magazine and probably loaded the pistol. He said when Mr. **Ruiz** entered the house, he didn't know what he (**Ruiz**) had done with his pistol because there was no gun in his hand.

Mr. [redacted] said he did not know why the deputies shot Mr. **Ruiz**. He later admitted that he did not see Mr. **Ruiz** when he entered the house.

Internal Affairs investigators also contacted the residents of the house in front of Mr. **Ruiz**' apartment. The following are excerpts of their interviews:

[redacted] FH/31, lives in the [redacted] and was the [redacted] on the "man with a gun/disturbance" call. She said that prior to the deputies arrival, Mr. **Ruiz** had engaged in an argument with two other Hispanic males in a black Camaro, who had been bothering his [redacted] She said Mr. **Ruiz** went to his residence, got a gun and confronted the two males. When she saw Mr. **Ruiz** holding the gun, she dialed 911 and reported the incident.

Mrs. [redacted] said when the deputies drove to the location, eastbound on 61st Street, she did not know where Mr. **Ruiz** was. She said that shortly after the deputies arrived, she heard the sound of four gunshots.

[redacted] MH/14, is the [redacted] of Mrs. [redacted] He was inside the living room of the [redacted] when he saw the sheriff patrol car approaching eastbound on 60th Street from Central Avenue. He said Mr. **Ruiz** walked from across the street southbound through the driveway towards his [redacted] apartment. He said when Mr. **Ruiz** noticed the patrol car, he began to walk at a faster pace towards his house and placed the gun in his back pants pocket. Seconds later, he saw two deputies with their guns drawn and held at their sides run past his kitchen window. He said he briefly loss sight of everyone then heard a deputy yell, "Put you hands on back of your head." Moments later, he heard a single gunshot and then two more gunshots and a female screaming.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

WITNESS LIST

SWORN AND DEPT EMPLOYEES TO INCLUDE NAME, RANK, EMPLOYEE NUMBER, UNIT, AND DIVISION/REGION OF ASSIGNMENT - ALL OTHER WITNESSES TO INCLUDE NAME, ADDRESS (BUSINESS AND HOME) AND TELEPHONE #

WITNESS # 1 of 5

[redacted] FH/Adult

[redacted]

was interviewed on February 27, 1994, at 2340 hours by Sergeants Kenneth Brazile and James Lopez of the Internal Affairs Bureau. The interview was tape recorded.

WITNESS # 2 of 5

[redacted] MH/14

[redacted]

was interviewed on February 27, 1994, at 2355 hours by Sergeants Kenneth Brazile and James Lopez of the Internal Affairs Bureau. The interview was tape recorded.

WITNESS # 3 of 5

[redacted] FH/DOB 3-19-74

[redacted]

was interviewed on February 28, 1994, at 0130 hours by Sergeants Kenneth Brazile and James Lopez of the Internal Affairs Bureau. The interview was tape recorded.

WITNESS # 4 of 5

[redacted] FH/DOB 12-11-52

[redacted]

was interviewed on February 28, 1994, at 0150 hours by Sergeants Kenneth Brazile and James Lopez of the Internal Affairs Bureau. The interview was tape recorded.

NOTE: THIS LIST ONLY CONTAINS THOSE WITNESSES PERSONALLY INTERVIEWED BY I.A.B. INVESTIGATORS. SEE ATTACHED REPORTS AND DOCUMENTS FOR POSSIBLE ADDITIONAL WITNESSES.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

WITNESS LIST

SWORN AND DEPT EMPLOYEES TO INCLUDE NAME, RANK, EMPLOYEE NUMBER, UNIT, AND DIVISION/REGION OF ASSIGNMENT - ALL OTHER WITNESSES TO INCLUDE NAME, ADDRESS (BUSINESS AND HOME) AND TELEPHONE #

WITNESS # 5 of 5

[redacted] MH/DOB 3-6-75

[redacted]

was interviewed on February 28, 1994, at 0250 hours by Sergeants Kenneth Brazile and James Lopez of the Internal Affairs Bureau. The interview was tape recorded.

WITNESS # ____

was interviewed on __________________ at ________ hours by ____________________________ of the Internal Affairs Bureau. The interview was (was not) tape recorded. The person interviewed was given a copy of his/herAdministrativeRights: Yes [__] No [__]

WITNESS # ____

was interviewed on __________________ at ________ hours by ____________________________ of the Internal Affairs Bureau. The interview was (was not) tape recorded. The person interviewed was given a copy of his/herAdministrativeRights: Yes [__] No [__]

WITNESS # ____

was interviewed on __________________ at ________ hours by ____________________________ of the Internal Affairs Bureau. The interview was (was not) tape recorded. The person interviewed was given a copy of his/herAdministrativeRights: Yes [__] No [__]

NOTE: THIS LIST ONLY CONTAINS THOSE WITNESSES PERSONALLY INTERVIEWED BY I.A.B. INVESTIGATORS. SEE ATTACHED REPORTS AND DOCUMENTS FOR POSSIBLE ADDITIONAL WITNESSES.